

uk2020

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Why the UK environment would be improved by leaving the EU and
restoring management at National and Local level.

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Introduction. Why the EU is bad and we should vote leave

On the 23rd of this month we are faced with a fork in the road. Presented with two different paths, we either choose between the uncertainty of being an associate member of an unstable political bloc, or a democracy with over 300 years of stability and prosperity.

We have heard the arguments about the economy, immigration, defence and house prices, but I would like to tackle another crucially important area - the environment.

I will talk about our long history of environmental legislation and our proud record of promoting international conventions. I will argue that we are not best served by an EU that has made a power grab of international treaties and tried to fit them into a one-size-fits-all system across a vast continent. The UK's environment would be better served by leaving the EU.

I will argue that we must leave the EU in order to re-gain our full participation and voting rights on the key international bodies. We can reestablish control of our borders, with decision making restored to our Parliament. This would strengthen hugely our ability to combat plant and animal diseases and leave us free to target policy specifically to our own needs.

Britain has always led the way on environmental legislation. Freed from an inefficient and cumbersome supranational system of government, we could do so once again.

Britain has always led the way in environment legislation

Listening to the Remain camp on the subject of the environment, one might almost come away with the idea that the EU had invented green policy.

Britain has traditionally been a leader in environmental protection, and has passed green laws since before two-thirds of EU members existed as countries. Much of our early legislation even pre-dating the creation of Germany and Italy as nation-states, starting with the 1848 Public Health Act, introducing formal statutory controls on pollution.¹ Further Acts were passed in 1866 and 1875, 1936 and 1961.

In between came the National Trust, created by a 1907 Act of Parliament. And a year before the Schuman Declaration of 1950, proposing the European Coal and Steel Community, Westminster passed the 111-page National Parks and Access to the Countryside Act.² These were all examples of Parliament co-operating with civil society to protect the environment.

To suggest that UK environment policy would be inadequate outside the EU is bizarre bordering on the insulting.

The development of non-EU treaties on the environment

Despite what the EU version of history would tell you, environmental policy was organised not just at continental but at a global level - long before the EU blundered into the area. In 1972, the year before we joined the EEC, 152 leading experts from 58 countries attended the first UN meeting on the environment in Stockholm, which led to the establishment by the UN General Assembly in December that year of the United Nations Environment Programme.³

That conference marked the beginnings of global co-operation in the field of the environment, from which date it has been regarded as a legitimate and important area of international law.

Then in 1976 Switzerland published a study recommending joint European action, which led to the 1979 Berne Convention on the Conservation of European Wildlife and Natural Habitats, hosted by the Council of Europe, another non-EU organisation.⁴

We were founder signatories of the Berne Convention; we were also signatories before any other EEC country to the 1975 Ramsar Convention protecting wetlands.⁵ Today Britain has more Ramsar sites than any other nation.

Likewise with the 1973 Washington Treaty establishing the Convention on International Trades in Endangered Species– CITES - which protects wildlife. Switzerland, Sweden, Cyprus were the first members from Europe, and of the early signatories, Germany was the only EEC nation to join before Britain.⁶

There was also the pan-European initiative Project MAR, a programme established because of concerns about a decline in the numbers of waterbirds. MAR was not created by the Common Market, but was the result of three organisations, British, French and Dutch, getting together for the common benefit of birds across Europe.⁷

The Berne Convention had nothing to do with the European Union, but the EU made a power grab to take ownership of international treaties interpreting them across the whole continent.

This led eventually to the creation of the Birds and Habitats Directives that now form the cornerstone of the EU's nature conservation policy.

Then comes the EU and their level playing field

However it was not until 1987 that it became an official competence,⁸ and its first intervention into green matters was linked to the single market and the idea of levelling the playing field. The EEC sought to harmonise environmental controls between member states, to avoid any one member gaining a trading advantage through adopting less onerous standards than its competitors.

This sounded reasonable in theory, as with much of European policy, but in practice was wildly unsuitable, as it is absurd to apply the same rules across vastly different terrains and environments.

As an example European regulation on landfill came about because of justified concerns about the groundwater level in the Low Countries, where it's naturally high. These were not appropriate for the hilly regions of western and northern Britain, but that didn't make any difference to the one size fits all mentality in Brussels.

This was driven by an ideology that seeks bureaucratic conformity in diverse environments and landscapes that have been sculpted over the

ages. Despite the EU's anodyne slogan 'united in diversity', it is using common regulation as a means of achieving economic and through that political integration intended to deliver harmony.

The politically driven obsession with common rules is partly responsible for many of the absurdities that emerge from Brussels. When I was negotiating the CAP reform the Commission was determined to introduce a three-crop rule across the continent. Not only was this wholly unsuitable to the farming industry and landscape of the UK, it was impossible in Andalucía, where only olive trees will grow in July when it's 45 degrees; likewise in northern Sweden, where only one spruce will grow in January when it is 45 below.^{9,10,11}

The UK was consistently outvoted during the CAP negotiations. We are obliged to accept highly unsatisfactory compromises, which in the case of the three-crop rule are actually damaging to the UK environment. Then when the UK fails to enforce these unsatisfactory regulations to the satisfaction of the Commission, the UK is forced to pay back significant sums of money in what in Eurospeak is called 'disallowance' but to you and me is a fine. Over the past ten years we have been made to return £642 million - that is real money which could have been far better spent on our own agriculture and our own environment.¹²

EU policies not locally adaptable

By their very nature global rules must be interpreted at national level to suit the local environment. We strongly support the Berne Convention, for instance, which gives individual countries the freedom to help their own "at risk" species.

In contrast, because of its desire for uniformity, Brussels applies a common European standard on endangered species that would be comical if it were not so disastrous.

Take newts, for instance. Each year over 1,000 licences are issued to keep great crested newts out of development sites, stopping housing being built and costing businesses dearly, with one developer in Buckinghamshire forced to spend £1 million catching 150 of the animals in 2014.^{13,14}

This might be considered necessary if newts were endangered in this country, but they are doing fine. Great crested newts can be found everywhere in England, as well as much of Wales and Scotland.

But they are much scarcer on the continent so, because of this, desperately needed homes in Britain can't be built.

To make matters worse, newt fences can also damage ground nesting birds at nesting times, which a pragmatic, common sense policy using local knowledge would take account of. We need a more flexible policy, and not one focused on targets set hundreds of miles away.

In my time at DEFRA my department was criticized at the very highest level of HM Government for adhering to the Habitats Directive. I had practical proposals to overcome this problem which would have facilitated development but also continued to ensure a thriving newt population.

When I went to Brussels to discuss these amendments with the-then Environment Commissioner Janez Potočnik, the meeting was brief. He explained that it had been a nightmare to get 27 countries to agree the Habitats Directive and he was not prepared to reopen negotiations to begin amending it. His exact phrase was ‘Amending Habitats Directive opens Pandora box. I never open Pandora box.’

Lawmaking in a sane system should not be a Pandora’s Box. A huge advantage of leaving the EU is that should we find that our legislation interpreting international conventions did not work well in practice, we could amend or repeal - or if necessary strengthen it - in response to changes in our own species and habitats.

The Precautionary principle

Another change, of enormous significance, was the requirement from 1999 that environment policy was to be based on the ‘Precautionary Principle’.¹⁵ This marked a fundamental break with Britain’s historic ‘reactive’ policy, based on the idea that something was legal until the state said otherwise – and would have a huge impact on British farming and innovation.

When I was at DEFRA the Precautionary Principle led to the disastrous response to the so-called ‘bee-pocalypse’. Although bee populations were not only growing both in the EU but around the world, the European Commission was inclined to take the side of well-funded activists rather than scientists.

I had clear advice from my scientists about real bees in real fields, and had the strong support of allies such as the Hungarians, who grew three crops treated with neonicotinoids over two million hectares. They also produced 20,000 tons of honey a year and had a huge interest in a healthy bee population; they would have been the first to sound the alarm if the modern pesticide was indeed dangerous.

However in less than a month I received 85,000 emails from green groups and I imagine the Commission received a whole lot more, and therefore caved in. We were overruled, and the Commission banned neonics at the end of 2013

The results were as I predicted. By removing the best modern defence against insect pests, farmers were forced to use older, less effective pesticides such as pyrethroids, which damage the aquatic environment and are worse for bees.

Because of this Precautionary Principle the EU is becoming the Museum of World Farming. We are sitting on some of the most fertile land on the planet and yet EU net imports of food require 35 million hectares of someone else’s farmland.¹⁶

GM

The same attitude forms the EU’s approach to genetically modified food, an innovation which has provided cheap, healthy sustenance to millions around the world. GM has been effectively banned in Europe, despite repeated studies showing it to be safe. Only last month the American Academy of Science and the Royal Society both came to the same conclusion – that Europe’s GM ban should be reassessed.¹⁷

Not only does the ban harm Europe; less forgivable is how much it harms Africa, which has been put under pressure to toe Europe’s deluded line on the subject. This ‘technological intolerance’ in the words of Harvard’s Kenyan economist Calestous Juma, is based on ‘emotions, not

evidence'.¹⁸ By actively discouraging Africans from using the latest technology to defeat pests, they are being prevented from being able to feed themselves.

Freed from Brussels's chokehold, we would replace the Precautionary Principle with the Innovation Principle. We led the Agricultural Revolution and we could do so again, as well as improving our landscape and countryside using all the latest innovations.

In contrast the EU environment will continue to decline as companies will not risk spending hundreds of millions of euros developing a new product if it simply means it will be banned for no scientific reason.

Targets

This centralised system also means that the EU prioritises the wrong things, a prime example being the recent Volkswagen emissions scandal.

Because of the way Brussels favours large corporate lobbying, diesel carmakers were successfully able to convince the Commission to advantage diesel cars, since these produce lower CO₂ emissions, and the system had decided that CO₂ emissions were the only target that mattered. The result was that far more dangerous particulate and NO_x emissions were higher than they would have been, causing thousands of premature deaths that could have been prevented.

This is the peril of the inflexible EU system where groupthink can become entrenched when decision-makers are not held accountable. Policymaking simply does not keep up with what is happening on the ground.

Invasive species

A prime example of this is the issue of invasive species, which is by some distance the biggest cause of extinction in the modern world, but despite the urgency of the problem, action taken under the EU regime is wholly inadequate and low priority.

In this country, the red squirrel and the white-clawed crayfish are facing local and possibly national extinction, because of disease spread by invasive alien grey squirrels and signal crayfish.¹⁹ As part of the Habitats

Directive and the Water Framework Directive, studies have been completed but effective action has been woefully slow and the threat continues to grow.

Fish

This same mentality drives Europe's Common Fisheries Policy, a biological, environmental, economic and social disaster that forces fishermen in some cases to throw back more fish dead into the sea than they land, which has caused substantial degradation of the marine environment, and destroyed much of the fishing industry.

Future generations will marvel at the waste involved, in a system in which over a million tons of healthy fish were thrown back every year as pollution – 23 per cent of the total catch, according to some estimates.

This contrasts with the sustainable and productive fisheries of the Faeroes, Iceland and Norway, which are all managed at local level, using up to the minute data to ensure healthy stocks. This is the very opposite to the central planning at continental level which has caused such damage to the fishing communities and marine environment in the UK.

Green groups bought up by the EU

The centralised nature of the EU incentivises lobbying by large companies and groups, and Brussels in turn funds NGOs and charities, which in turn lobby it.

The recent environment statement by the Stronger In team, signed by Liz Truss, included quotes from leading members of both Friends of the Earth and WWF who argued that the EU had delivered benefits to our environment.²⁰

They were joined by David Cameron, who declared that the EU "underpins many crucial environmental protections in the UK". Lauding "charities like the RSPB and WWF" who played "an important role in the debate on Europe", he welcomed their intervention.²¹

According to one headline, he went so far as to say that a vote for the EU was a vote for nature. It is nothing of the sort. A vote for the EU is a vote for the continuation of the remote, insensitive bureaucracy that insists on

deciding matters at continental level, ignoring local environmental conditions and imposing clumsy regulation on matters that should be decided at the level of the nation state or below.

But what David Cameron didn't tell us was that his champions were being funded by the EU, the RSPB to the tune of £15 million and the WWF by £58 million.

Therefore he is endorsing the use of taxpayer's money for propaganda purposes; this vastly outstrips the £9.2m he spent on his own propaganda leaflets, and to add insult to injury most other environmental groups are also in receipt of EU largesse. Over the period 2007-2012 for instance, Friends of the Earth was lead recipient for grants worth £10.6 million. Together, in just five years, nine major green groups received over £100m from the European Commission.²²

No wonder they all believe we are Stronger In.

These organisations, which purport to represent 20 million people, are not simply passive receivers of funds but active players in the legislative and policy making process. They work with the EU to promote its 'environmental leadership in the global political arena', effectively acting as advocates not only for environmental issues but for the European Union itself.^{23,24}

As Secretary of State I participated in an Environment Council called by Lithuania as the incoming Presidency, to discuss European policy on fracking. So serious was the meeting that only elected Ministers were allowed in with all civil servants excluded. Yet, to my surprise, we found a senior representative from the European Environment Bureau, representing 140 green organisations, speaking on equal terms with us. Towards the end of the meeting he gave us an emotive lecture about the dangers of shale gas exploitation.

Some of my colleagues from Eastern Europe, for whom energy security is an existential question and who had just come out of decades of undemocratic rule, were absolutely infuriated.

So political are these green groups that countries such as New Zealand declined to give charity status to Greenpeace.²⁵ India's government considers that NGO opposition to development projects makes them a

‘threat to national economic security’.²⁶

It is notable that whereas such political lobbying is integral to the system in Brussels, these two Parliamentary democracies demand that NGOs are held to account by politicians who in turn are answerable to their electors.

The Brussels system is circular. It funds NGOs — which form, with civil servants and journalists, what I call the Green Blob – to lobby the Commission to produce the laws which it already wanted, therefore bypassing the democratic process.

Human population

Another area in which the democratic process is bypassed is immigration. According to the Government, with free movement, if we stay in the EU it is forecast that the UK population will increase to 71m by 2030. A new house will have to be built every six minutes for the next 25 years, and an extra 400,000 hectares of land – almost nearly twice the size of Oxfordshire – will be needed for housing alone in the next 15.^{27,28} Add in all the necessary infrastructure, and this is going to have a massive impact on our environment.

What happens if we leave

So what happens if we leave? Outside the EU, we would still be signatories to the Berne Convention on protected species, under which we could direct our efforts to wildlife actually under threat in the UK, as opposed to working to a notional European list affecting animals hundreds of miles away. If the Great Crested Newts ever found themselves in real trouble in the UK, we would be the first to invoke the Berne Convention to help them.

We have a good idea of what a post-brexit British environment policy would look like from studying South Georgia, a British Crown Colony, where the Government has successfully rid the island of rats, reindeer, various plants and other invasive species.²⁹ It has overseen a spectacular explosion in the numbers of fur seals, elephant seals, king penguins, whales and many other species, while halting the killing of albatrosses by long-line fisheries within the island’s economic zone. It is a fine example of practical, pro-active nature conservation by Britons outside the EU.

Control of borders

Perhaps the biggest benefit of leaving the EU is that we will get our borders back, not just in the case of people but of plants.

Increasing globalization means more products traded around the world, which means a greater risk of plant disease. Yet the EU's insistence on free movement has accelerated the spread of ash dieback, putting at risk 80 million ash trees in the UK.^{30,31}

On top of this we could also tackle the insidious and dangerous trade in bush meat into this country, a practice that is linked to increased risks of Ebola and the bubonic plague.

As Secretary of State for Defra, I visited Australia and New Zealand. I was really struck by the rigorous biosecurity at their borders. They offer many practical lessons, which would be of long-lasting benefit to our animal and plant health.

In the EU, there is little we can do about this. But an independent UK could strengthen biosecurity to reduce risks at the UK border, develop procedures to predict and control the spread of pests and diseases, and build a modern system to provide quick and intelligent access to data about tree health. We have a huge natural advantage in being an island - with 21st century technology and techniques available, we could maximise the benefits.

We'd get our own seat back on bodies.

Outside the EU, we would not just regain our right to vote on bodies such as the IPPC for plant health and the OIE for animal health, but vitally our right to initiate new standards or propose amendments to existing ones. After June 23, we can give global leadership, working with likeminded allies to ensure more rapid policy reaction to a constantly moving kaleidoscope of diseases.

Wildlife crime

Perhaps the most ludicrous claim made by the Remain side has been that wildlife crime would increase if we left. This is rubbish. As an

independent actor, Britain would continue to be most effective in tackling this problem. I visited Kenya in 2013 and then with the full support of other sovereign states and conservation charities we organized the London Conference on the Illegal Wildlife Trade. The 46 countries attending, including China and Russia, were determined to tackle the horrific situation where an elephant is shot dead every 15 minutes and a rhino every 8 hours. By working together, we helped to reduce poaching in northern Kenya by 35 per cent, a success that had absolutely nothing to do with the EU.³²

Conclusion

Historically democracies have a far better record of preserving the environment than unelected governments of whatever shape. Only last year the UK created the world's largest contiguous ocean reserve around the Pitcairn Islands, three times the size of the UK. It would be foolish to suggest that a country which has achieved this and which has pioneered environmental measures for centuries would walk away from its commitment to the environment just because it left the political arrangements of the EU.

I have often in the past been critical of the Green Blob as it operates within Whitehall and Brussels, but I have always praised local environmentalists for doing a vital job; their enthusiasm, combined with local knowledge and experience is invaluable. We should empower them, reviving the long-standing British tradition of local volunteer organisations working to improve the environment for posterity. Our elected representatives would have real power to react effectively to the changing demands of our environment.

Environmentalism works best at local level. People care for their surroundings most when it belongs to them, when they have a stake in the future and when they are free to conserve it for posterity. Central planning is the past; after 23rd June we can return to the fundamental principal of environmentalism - thinking globally, acting locally.

Endnotes

¹ See http://www.legislation.gov.uk/ukpga/1848/63/pdfs/ukpga_18480063_en.pdf

² http://www.legislation.gov.uk/ukpga/1949/97/pdfs/ukpga_19490097_en.pdf

³ https://en.wikipedia.org/wiki/United_Nations_Environment_Programme

⁴ <http://www.coe.int/en/web/bern-convention>

⁵ <http://www.ramsar.org/about-the-ramsar-convention>

⁶ <https://www.cites.org/sites/default/files/eng/disc/CITES-Convention-EN.pdf>

⁷ <http://www.ramsar.org/sites/default/files/documents/pdf/lib/Matthews-history.pdf> and <https://portals.iucn.org/library/node/6207>

⁸ Environment became a formal competence of the (then) EEC with the Single European Act, which came into force in 1987. See:

<http://lawdigitalcommons.bc.edu/cgi/viewcontent.cgi?article=1488&context=iclr> ⁹

<http://www.nfuonline.com/archived-content/more-news/three-crop-rule-utter-madness/>

¹⁰ <http://www.publications.parliament.uk/pa/cm201213/cmselect/cmenvfru/170/170.pdf>

¹¹ http://www2.jordbruksverket.se/webdav/files/SJV/trycksaker/Pdf_rapporter/ra12_13eng.pdf

¹² See: <http://www.theguardian.com/politics/2016/apr/27/uk-pays-650m-fines-miss-spending-eufunding-mps-find> and

<http://www.publications.parliament.uk/pa/cm201516/cmselect/cmpublic/730/73006.htm> ¹³

<https://www.gov.uk/guidance/great-crested-newts-protection-surveys-and-licences> ¹⁴

<http://www.telegraph.co.uk/news/earth/11878624/Great-crested-newts-will-no-longer-blockhousing.html>

¹⁵ See: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52000DC0001&from=EN> It is detailed in Article 191 of the Treaty on the Functioning of the European Union. ¹⁶

[https://www.agrar.hu-](https://www.agrar.hu-berlin.de/de/institut/departments/dao/ihe/Veroeff/operafinal_report_100505.pdf)

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¹⁷ <http://www.bbc.co.uk/news/science-environment-36359682>

¹⁸

http://belfercenter.ksg.harvard.edu/publication/20753/technological_intolerance_threatens_global_food_security.html

¹⁹ <https://ec.europa.eu/jrc/en/news/invasive-freshwater-species-europe-s-lakes-and-rivers-how-dothey-come>

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<https://d3n8a8pro7vnmx.cloudfront.net/in/pages/688/attachments/original/1462045421/10Greenv3.pdf?1462045421>

²¹ <http://www.express.co.uk/news/uk/676052/David-Cameron-EU-European-Union-Referendum->

<Environment-WWF-RSPB-Brussels-Bloc>

²² Data obtained from the European Commission Financial Transparency

System: http://ec.europa.eu/budget/fts/index_en.htm, accessed 24 June

2014. ²³ <http://www.green10.org/>

²⁴ *ibid.*

- ²⁵ <http://www.newshub.co.nz/nznews/greenpeace-wins-final-charity-court-battle2014080614#axzz4AoS4O84X>
- ²⁶ Times of India, 11 June 2014, <http://timesofindia.indiatimes.com/india/Greenpeace-and-other-NGOs-threat-to-nations-economyIB-report-warns/articleshow/36400491.cms>, accessed 28 June 2014.
- ²⁷ <http://www.migrationwatchuk.org/briefing-paper/250>
- ²⁸ <http://www.cisl.cam.ac.uk/business-action/natural-resource-security/natural-capital-leadersplatform/pdfs/natural-capital-leaders-platform-the-best-use-of-u.pdf>
- ²⁹ See for instance: <https://www.expeditions.com/why-us/global-stewardship/antarctica/southgeorgia-invasive-species-eradication/>
- ³⁰ <http://www.forestry.gov.uk/ashdieback#description>
- ³¹ *Hymenoscyphus fraxineus* is not a “regulated” plant disease organism in European Union plant health law, which means that ash plants moved between Member States were not subject to inspection. <http://www.forestry.gov.uk/forestry/infd-8w9euv>
- ³² <https://news.mongabay.com/2015/12/community-conservation-efforts-in-northern-kenyareduced-elephant-poaching-by-more-than-a-third-last-year/>